Private Medical Records Responses

Instructor Lesson Plan

Time Required: 2.5 Hours

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| Lesson Description | |
| The information below provides the instructor with an overview of the lesson and the materials that are required to effectively present this instruction. | |
| TMS # | 4188341 |
| Prerequisites | Prior to this lesson, the Post-Challenge Veteran Service Representatives VSRs should have 6 months of VSR experience.  Recommended: Talent Management System (TMS) VA 3890950 Private Medical Record (PMR) Program Overview |
| target audience | The target audience for Working with Private Medical Records Responses is Post-challenge Veteran Service Representatives VSRs.  Although this lesson is targeted to teach the Post-challenge Veteran Service Representatives VSR employee, it may be taught to other VA personnel as mandatory or refresher type training. |
| Time Required | 2.5 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * Working with Private Medical Records Responses PowerPoint Presentation * Working with Private Medical Records Responses Trainee Handout * Working with Private Medical Records Responses Answer Key |
| Training Area/Tools | The following are required to ensure the trainees are able to meet the lesson objectives:   * Classroom or private area suitable for participatory discussions * Seating, writing materials, and writing surfaces for trainee note taking and participation * Handouts, which include a practical exercise * Large writing surface (easel pad, chalkboard, dry erase board, overhead projector, etc.) with appropriate writing materials * Computer with PowerPoint software to present the lesson material   Trainees require access to the following tools:   * VA TMS to complete the assessment |
| Pre-Planning | * Become familiar with all training materials by reading the Instructor Lesson Plan while simultaneously reviewing the corresponding PowerPoint slides. This will provide you the opportunity to see the connection between the Lesson Plan and the slides, which will allow for a more structured presentation during the training session. * Become familiar with the content of the trainee handouts and their association to the Lesson Plan. * Practice is the best guarantee of providing a quality presentation. At a minimum, do a complete walkthrough of the presentation to practice coordination between this Lesson Plan, the trainee handouts, and the PowerPoint slides and ensure your timing is on track with the length of the lesson. * Ensure that there are copies of all handouts before the training session. * When required, reserve the training room. * Arrange for equipment such as flip charts, an overhead projector, and any other equipment (as needed). * Talk to people in your office who are most familiar with this topic to collect experiences that you can include as examples in the lesson. * This lesson plan belongs to you. Feel free to highlight headings, key phrases, or other information to help the instruction flow smoothly. Feel free to add any notes or information that you need in the margins. |
| Training Day | * Arrive as early as possible to ensure access to the facility and computers. * Become familiar with the location of restrooms and other facilities that the trainees will require. * Test the computer and projector to ensure they are working properly. * Before class begins, open the PowerPoint presentation to the first slide. This will help to ensure the presentation is functioning properly. * Make sure that a whiteboard or flip chart and the associated markers are available. * The instructor completes a roll call attendance sheet or provides a sign-in sheet to the students. The attendance records are forwarded to the Regional Office Training Managers. |

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| Private Medical Records Responses | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Orient learners to the facilities * Ensure that all learners have the required handouts |
| time required | | 2.5 hours |
| Purpose of Lesson  Explain the following: | | This lesson is intended to provide instruction on how to work with private medical records responses. This lesson will contain discussions and exercises that will allow you to gain a better understanding of:   * Four potential outcomes of a PMR request * PMR Return response and subsequent action * Medical Records Request Reject Notice and subsequent action * PMR Reports of Contact and subsequent action * PMR Fax Sheets with PMRs received |
| Lesson Objectives  Discuss the following:  Slide 2  Handout 2 | In order to accomplish the purpose of this lesson, the Post Challenge VSR will be required to accomplish the following lesson objectives.  ThePost Challenge VSR will be able to work with the Private Medical Record (PMR) responses to:   * Categorize the four potential outcomes of a PMR request * Identify a PMR Return response and subsequent action * Identify Medical Records Request Reject Notice and subsequent action * Identify Reports of Contact and subsequent action * Identify the PMR Fax Sheet with PMRs received | |
| Explain the following: | Each learning objective is covered in the associated topic. At the conclusion of the lesson, the learning objectives will be reviewed. | |
| Motivation | Under the PMR Program, the medical records needed are received on average in under 8 days. This enables our agency to make more timely decisions on the Veteran’s claim. | |

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| References  Slide 3  Handout 2 | Explain where these references are located in the workplace.   * [**38 CFR 3.159(c), VA's Duty to Assist Claimants in Obtaining Evidence**](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_159.htm) * [**M21-1, Part III, Subpart iii, 1.C, Requesting Evidence from Sources Other Than the Claimant**](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Farticle%2F554400000014156%2FM21-1-Part-III-Subpart-iii-Chapter-1-Section-C-Requesting-Evidence-From-Sources-Other-Than-the-Claimant)[**Subpart**](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/) * [**PMR Retrieval Program Home Page**](http://vbaw.vba.va.gov/bl/21/systems/pmr.htm) |

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| Topic 1: Categorize the Four Potential Outcomes of a PMR Request | |
| Introduction | This topic will allow the trainee to identify and categorize the 4 potential outcomes of a PMR request. |
| Time Required | .25 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Categorize the four potential outcomes of a private medical record response |
| 4142s Transmitted to DOMA  Slide 4  Handout 3 | All VA forms 4142sare identified and electronically submitted from Centralized Mail (CM) to the PMR contractor, DOMA, and concurrently submitted for ingest to the VBMS electronic eFolder. \*  The 4142 may be stamped by CM in any of the following ways shown but not limited to just those stamps. The Centralized Mail program indicates PMR Program Referred.  \* Note: Any 4142s which did not go through the CM automated process should be handled under the guidance of the PMR Process: VSR Checklist. This is included in your handout. |
| PMR Request: Potential Outcomes  Slide 5  Handout 3 | The PMR contractor, DOMA, could have 1 of 4 different outcomes in processing a VA Form 21-4142:   1. PMR Returns – Medical release requests that cannot be developed by DOMA 2. Medical Records Request Reject Notice – Request is not for a Private Health Provider (PHP) or other categories 3. Report of Contact – DOMA attempts to receive PMRs but is not successful 4. PMRs – DOMA receives the private medical records from the physician   For every VA Form 21-4142 that DOMA receives, they will process it in one of the ways listed. |

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| Topic 2: Identify a PMR Return Response and Subsequent Action | |
| Introduction | This topic will allow the trainee to identify PMR Returns. |
| Time Required | .25 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify a PMR Return   The following topic teaching points support the topic objectives:   * The PMR Returns will be a VA Form 21-4142 that cannot be processed by DOMA at all. |
| PMR Returns  Slide 6  Handout 4  **Teaching point:** If a VA Form 21-4142 is a PMR Return, there will be nothing in VBMS (from DOMA), just the original 4142.  A review will need to be done of the 4142 by the developing VSR to determine if any subsequent development is needed to the claimant. | DOMA will receive some incomplete medical release forms that prevent them from requesting PMRs. These include:   * *VA Form 21-4142* that is missing a page * *VA Form 21-4142* without a *VA Form 21-4142A* or vice versa (new form) * entirely blank forms * entirely blank forms with the Veteran/claimant signature (no other data outside of the signature) * a form that only has the claim number or SSN listed and no other data |
| PMR Return: Example of Subsequent Development  Slide 7  Handout 4  **Teaching point:** If a VA Form 21-4142 is processed as a PMR Return, and the developing VSR thinks this was an error, they needto contact their local PMR Super User to advise them on the specific instance. | 1. Veteran submits VA Form 21-4142 without the VA Form 21-4142A. 2. DOMA receives the form through CM and processes as a PMR Return. 3. Upon review of the pending claim, the developing VSR should:    * Develop to the claimant by telephone and record any PHP/Vet Center source information provided by the claimant on VA Form 21-4142a, or    * if unable to reach the claimant via telephone, generate a development letter to the claimant through VBMS requesting the return of a completed VA Form 21-4142a, and    * create a custom development action titled 21-4142a in VBMS.   Reference: [M21-1, PartIII, Subpart iii, Chapter 1, Section C.3.d](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/#agent/portal/554400000001034/article/554400000014156/M21-1-Part-III-Subpart-iii-Chapter-1) |

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| Topic 3: Identify Medical Records Request Reject Notice and Subsequent Action | |
| Introduction | This topic will allow the trainee to identify Medical Records Request Notice and subsequent action. |
| Time Required | .50 hours |
| OBJECTIVES | Topic objectives:   * Identify categories of Medical Records Request Reject Notices * Identify when subsequent development actions may be needed on a Medical Records Request Reject Notices |
| Medical Records Request Reject Notice  Slide 8 | In circumstances when DOMA will not process the private medical release, they will create this document.  On the example shown, DOMA advised the *VA Form 21-4142* submission is an exact duplicate of one that they’ve previously received and processed. Multiple duplicates may be received if the Veteran submits multiple copies of the same exact completed form.  In the next few slides, we will display the portion of the document which shows the reason for the rejection. This is where the developing VSR should review to determine the rejection reason and any potential subsequent development action.  Is there any further development that would be needed on an exact duplicate? (Answer: No. It has already been processed. HOWEVER - a review is needed to determine if the records from the initial 4142 were received. There might be VA development actions needed on the very first submittal of the form.) |
| Types of Medical Records Request Reject Notices  Slide 9  Handout 5 | Created by DOMA in these situations:   * an exact duplicate * provider listed is non private * improperly signed * incomplete Private Health Care Provider (PHP) information that cannot be obtained by DOMA * complete form but missing a signature and/or signature date * identifying a foreign provider/claimant with foreign address * expired |
| Provider Listed is Non-Private  Slide 10 | In the two examples displayed, the provider lists a VA Hospital and a military medical provider. These examples display non-private health care providers.  What is another example of a non-private health care provider? (example: Social Security Administration)  If the provider listed is non-private, the developing VSR should review to determine subsequent development actions. Have CAPRI records been requested? Are the military medical provider’s records within the timeframe of service or outside of service? If outside the period of service, the records will need to be requested if not available in the VBMS eFolder.  Have the SSA records been requested (if required)? |
| Invalid Signature  Slide 11 | In the example displayed, the 4142 has been signed by someone other than the patient or legal guardian of the patient.  DOMA will not process the 4142 with a signature of someone who is not the patient with two exceptions: (1) the parent of a minor can sign for the child’s (patient’s) records, and if (2) legal court documents are submitted showing medical power of attorney by the signatory. The Health Insurance Portability and Accountability Act (HIPAA) requires that medical patients authorize any release of medical records. |
| Incomplete PHP Information  Slide 12 | If there is incomplete information on the private health care provider listed on the 4142, and DOMA cannot find the exact match by going online, then they will reject the document.  In the example shown, insufficient information is provided on the name of the facility and the street name. Another example of this would be a listing on the 4142 of: Dr. Smith, San Francisco, CA.  Subsequent development to the claimant will need to be done by the VSR to get complete information. |
| Missing a Signature or Signature Date  Slide 13 | If the 4142 is complete but is only missing a signature or signature date, then DOMA will reject the form.  Subsequent action is needed: the developing VSR will need to develop to the claimant for a completed signed form.  What does DOMA do when the form is entirely blank and missing the signature and signature date? (Answer: DOMA processes as a PMR Return). |
| Claimant has foreign address or foreign provider listed  Slide 14 | If the Veteran or private health care provider are listed at a foreign address, DOMA cannot process the *VA Form 21-4142*.  Subsequent action is needed: the developing VSR will need to develop the medical release if it is within their jurisdiction or direct it to the Pittsburgh RO to develop the foreign claim. |
| Request is expired  Slide 15 | If the request is received and it is older than 12 months old on the signature line, then DOMA will reject the form. Prior to requesting a new form, check the VBMS eFolder to determine if those records were previously received. If not previously received, then request the Veteran/claimant provide VA with an updated *VA Form 21-4142*. Do not request the Veteran/claimant complete an additional *VA Form 21-4142a*.  Reference: [M21-1, Part III, Subpart iii,1.C.3.c.](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/#agent/portal/554400000001034/article/554400000014156/M21-1-Part-III-Subpart-iii-Chapter-1) (Expiration of *VA Forms 21-4142)* |
| Knowledge Check  Slide 16 | Review the three examples on the slide. Is VA development likely needed due to the responses received back from DOMA on the PMR Medical Records Request Reject Notices?  #1: Provider listed is non private – potentially yes – a review is needed to determine if the records have already been requested or received for the claim. Examples in this category include but are not limited to the VAMCs, SSA, Vet Centers or military medical providers.  #2: The Request is expired – potentially yes – a review is needed to determine if the records have already been received. If the records have not been received then development will need to be done to the claimant to get a new form signed and dated.  #3: Exact Duplicate – no HOWEVER - a review is needed to determine if the records in the initial 4142 were received. There might be development actions needed on the very first submittal of the form.  IMPORTANT: A review of the evidence in the VBMS eFolder should be done when determining if subsequent development action will be needed following the receipt of PMR Medical Records Request Reject Notices. Never presume that a response back from DOMA equals the development activities are always closed out. You must read through the response to make a determination. |
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| Topic 4: Identify Reports of Contact and Subsequent Action | |
| Introduction | This topic will allow the trainee to understand how DOMA documents the outcome when the provider does not submit the medical records. |
| Time Required | .50 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify PMR Reports of Contact and when subsequent action may be needed |
| PMR Report of Contact  Slide 17  Handout 6 | When DOMA has sufficient information on the *VA Form 21-4142*, they attempt to get the private medical records from the provider. There are several circumstances when DOMA will not receive the private medical records they requested from the provider. In these instances, they will create this document. The example shown is for no response from the provider within 30 days of the request being made. DOMA allows 30 days for the provider to submit the records, and if no response is received within that timeframe, DOMA closes out the 4142 request.  What is the difference between a PMR Medical Records Request Reject Notice and a PMR Report of Contact? (Answer: The PMR Medical Records Request Reject Notice is used when DOMA does not develop to the provider. The PMR Report of Contact is used when DOMA records the outcome of development in their attempts to get the records.) |
| PMR Report of Contact  Slide 18  Handout 6 | The PMR Report of Contact is created in these situations:   * PHP non response * Fee required * Already supplied to the VA or Veteran * Dates of treatment/condition discrepancy * No records found * Records destroyed * PHP invalid * PHP unwilling to comply * Redaction * Request is expired * Additional form required * DOT/conditions required * Deceased Veteran * Veteran Information discrepancy |
| Fee Required  Slide 19 | In the example displayed, the provider required a fee for the records. DOMA attempts to verbally overcome their challenge of requiring a fee, but if the provider will not agree, then DOMA will document and close out the 4142.  In accordance with [**38 CFR 3.159(c)**](http://vbaw.vba.va.gov/bl/21/Publicat/Regs/Part3/3_159.htm) “VA will not pay any fees charged by a custodian to provide records requested.” No subsequent development action is needed to the Veteran. |
| Already Supplied to the VA  Already Supplied to the Veteran  Slide 20 | DOMA will distinguish between a response from the provider indicating that they’ve already supplied to the VA or already supplied to the Veteran.  No subsequent development action is needed to the Veteran, however, a review of the VBMS eFolder is required to determine if the records were received as indicated. |
| Dates of Treatment/Condition Discrepancy  Slide 21 | Some providers will not provide private medical records if the dates listed in box 5B (older *VA Form 21-4142*) or 4B (newer *VA Form 21-4142a*) are outside the time frames that the patient was seen by the provider.  Subsequent action is required by the developing VSR to get the accurate dates of treatment or conditions for the claimant. If a newer VA Form 4142a was used, the developing VSR can follow these steps to get the accurate information:   * + Develop to the claimant by telephone and record any PHP/Vet Center source information provided by the claimant on *VA Form 21-4142a*, or   + if unable to reach the claimant via telephone, generate a development letter to the claimant through VBMS requesting the return of a completed *VA Form 21-4142a*, and   + create a custom development action titled 21-4142a in VBMS.   If an older form was used, send the claimant the newer VA Form 21-4142 along with the VA Form 21-4142A to receive the accurate dates of treatment or conditions. |
| No Records Found  Records Destroyed  Slide 22 | The most frequent response received from a provider when records are not available is that the records were destroyed. Another response may be that no records were found for the patient.  No subsequent development action is needed by the developing VSR.  Reference: M21-1 III.iii.1.C.3.g and M21-1 I.1.C.5.a |
| PHP Unwilling to Comply  Slide 23 | This category covers a wide range of potential responses from providers who will not provide records. In the instance shown, the provider required a specific form in 14 point font, so they would not provide records.  Subsequent action is required by the developing VSR to send the claimant the required form for completion. |
| Redaction  Slide 24 | The *VA Form 21-4142a*, has space for 3 providers to be listed. Prior to faxing out the 4142a to a provider, DOMA will redact the provider information that should not be displayed and send out the 4142 to the one provider that should be displayed.  An example: Veteran lists Dr. Stanek, Dr. Siddiqui and Dr. Jones on their 4142a. When DOMA sends the 4142a via fax to Dr. Stanek, they will redact, or cover up the information on Dr. Siddiqui and Dr. Jones. There are instances in which the provider will not accept the redacted form.  No subsequent development action is needed to the claimant. The developing VSR should submit complete and submit a 4142a to DOMA listing only the provider that previously refused due to redaction. |
| Request is Expired  Dates of Treatment Required  Slide 25 | DOMA may send out a 4142 which expires prior to the provider processing the form. In those instances, the provider may indicate they cannot process an expired form. (Note – this is different than when DOMA receives an expired form directly from the VA. Those are not sent to the provider.)  Some providers require dates of treatment and will not process a form without the dates being listed.  For the expired requests, subsequent action is required by the developing VSR to send the claimant a new *VA Form 21-4142* and *VA Form 21-4142a* form for completion.  For requests which require dates of treatment, the developing VSR should:   * + Develop to the claimant by telephone and record any PHP/Vet Center source information provided by the claimant on VA Form 21-4142a, or   + if unable to reach the claimant via telephone, generate a development letter to the claimant through VBMS requesting the return of a completed VA Form 21-4142a, and   + create a custom development action titled 21-4142a in VBMS. |
| Additional Form is Required  Veteran Deceased  Slide 26 | In the example shown, the provider would not accept the medical release provided and indicated another HIPAA compliant form in the state of Wisconsin was needed.  With less frequency, 4142 requests may be denied by the provider as the claimant has died during the processing period. DOMA attempts to overcome the argument of the claimant being deceased and get the records in the event that accrued benefits can be granted.  For the request for an additional form by the provider, subsequent action is required by the developing VSR to send the claimant the required additional form for completion.  For the response of Veteran is deceased, review is needed to determine next steps. |
| PHP Information Invalid  Veteran Information Discrepancy  Slide 27 | Even though they’ve initially attempted to get the records, sometimes DOMA cannot determine valid information to locate the provider listed by the Veteran.  If a provider indicates or if DOMA finds that there is discrepant information on the Veteran for the records requested and those received, then DOMA will close out the 4142 request. DOMA confirms accuracy of records prior to posting.  For PHP Information Invalid, subsequent action is needed. The developing VSR will need to:   * + Develop to the claimant by telephone and record any PHP/Vet Center source information provided by the claimant on VA Form 21-4142a, or   + if unable to reach the claimant via telephone, generate a development letter to the claimant through VBMS requesting the return of a completed VA Form 21-4142a, and   + create a custom development action titled 21-4142a in VBMS.   For Veteran Information Discrepancy, the developing VSR will have to review to determine if an entirely new *VA Form 21-4142* is needed to resolve the issue. |
| Knowledge Check  Slide 28 | Review the three examples on the slide. Other than VBMS updates, is VA development likely needed due to the responses received back from DOMA on the PMR Medical Records Request Reject Notices?  #1: No Records Found – no – DOMA has recorded that the provider has no records for that patient. This closes out the development actions for this 4142.  #2: Dates of Treatment and/or Conditions Discrepancy –yes – a review is needed to determine if the records have already been received. If the records have not been received then development will need to be done to the claimant to determine accurate dates or conditions.  #3: PHP Non response – no – this response does not require any further development to the claimant. This closes out the development actions for this 4142.  IMPORTANT: A review of the evidence in the VBMS eFolder should be done when determining if subsequent development action will be needed following the receipt of PMR Reports of Contact. Never presume that a response back from DOMA equals the development activities are always closed out. You must read through the response to make a determination. |
| DEMONSTRATION | Optional: the instructor opens VBMS with pre-selected claim numbers to review PMR Reports of Contact and discuss subsequent development actions which were needed/completed. |

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| Topic 5: Identify the PMR Fax Sheet Response from the Provider | |
| Introduction | This topic will allow the trainee to identify potential responses from the provider on the PMR Fax Sheet |
| Time Required | .25 hours |
| OBJECTIVES | Topic objectives:   * Locate provider’s responses on the PMR Fax Sheet |
| PMR Fax Cover Sheet  Slide 30  Handout 7 | DOMA provides the PMR Fax Cover Sheet for every 4142 they fax to a provider, after they confirm that the provider has records for the claimant and they have a valid fax number. The provider is requested to return the fax cover sheet with one of the boxes selected. Sometimes the provider does return the fax cover sheet as indicated. If received, a review should be done of the marked checkboxes to determine if any further development action is needed. |
| Review  Slide 31 | Are there any questions? |
| Regional Office Specific Topics | At this time add any information pertaining to:   * Station quality issues with this lesson * Additional State specific programs/guidance on this lesson |

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| Practical Exercise | |
| Time Required | .5 hours |
| EXERCISE | Trainees should review the questions and provide responses.  Ask if there are any questions about the information presented in the exercise, and then proceed to the Review. |

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| Lesson Review, Assessment, and Wrap-up | |
| Introduction  Discuss the following: | The Private Medical Records (PMR) Responses lesson is complete.  Review each lesson objective and ask the trainees for any questions or comments. |
| Time Required | .25 hours |
| Lesson Objectives | You have completed the Private Medical Records (PMR) Responses lesson.  The trainee should be able to:   * Categorize the four potential outcomes of a PMR request * Identify a PMR Return response and subsequent action * Identify Medical Records Request Reject Notice and subsequent action * Identify Reports of Contact and subsequent action * Identify the PMR Fax Sheet response from the provider |
| Assessment | Remind the trainees to complete the on-line assessment in TMS to receive credit for completion of the course.  The assessment will allow the participants to demonstrate their understanding of the information presented in this lesson. |